



Customer No. 22,852  
Attorney Docket No. 02887.0261

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Tomohiro SAITO )  
Application No.: 10/730,903 ) Group Art Unit: 2811  
Filed: December 10, 2003 ) Examiner:  
For: SEMICONDUCTOR DEVICE AND )  
METHOD OF MANUFACTURING )  
THE SAME )

**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§1.56 and 1.97(b), applicant brings to the Examiner's attention the documents listed on attached Form PTO-1449. A copy of the listed document is attached. Applicant respectfully requests that the Examiner consider the documents listed on attached Form PTO-1449 and indicate that it was considered by making an appropriate notation on this form.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

The following is listed on the accompanying PTO-1449 and is in a non-English language:

1. Japanese Patent Laid-open (Unexamined) Publication No. 04-123439 -

The relevance of this document is discussed at pages 1 and 2 of the specification of the present application. An English-language abstract of the document also is enclosed.

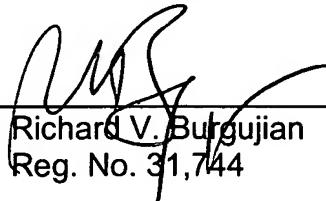
This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitutes "prior art." If the Examiner applies the document as prior art against any claim in the application and applicant determines that the cited document does not constitute "prior art" under United States law, applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of the document. Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: September 2, 2004

By: 

Richard V. Burgujian  
Reg. No. 31,744

Enclosures  
RVB/FPD/gah

## INFORMATION DISCLOSURE CITATION

Examiner's Initials Ref ID: 02887.0261		Application No. 10/730,903
Applicant	Tomohiro SAITO	
Filing Date	December 10, 2003	Group: 2811

## U.S. PATENT DOCUMENTS

Examiner Initials*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate

## FOREIGN PATENT DOCUMENTS

	Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
	04-123439	04/23/1992	Japan			Abstract

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


Examiner	Date Considered
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\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.